



Department of Planning & Development  
**Planning Unit**

Website: [www.cityofmadison.com](http://www.cityofmadison.com)

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September 6, 2006

Mark Schmidt  
Knapp-Schmidt Architects  
PO Box 762  
Wautoma, Wisconsin 54982

RE: Approval of a request to rezone 453 W. Washington Avenue from R6 (General Residence District) to Planned Unit Development, General Development Plan/ Specific Implementation Plan (PUD-GDP-SIP) to convert two residential buildings into a single building containing a ground-floor restaurant, bakery and bar with four apartments to be located on the upper floors.

Dear Mr. Schmidt:

At its September 5, 2006 meeting, the Common Council **conditionally approved** your client's application to rezone property located at 453 W. Washington Avenue from R6 to PUD-GDP-SIP. The following conditions of approval shall be satisfied prior to final approval and recording of the planned unit development:

**Please contact Janet Dailey, City Engineering, at 261-9688 if you have questions regarding the following six items:**

1. The site plan shall reflect a proper street address of the property as reflected by official City of Madison Assessor's and Engineering Division records. The Bistro address is 453 W. Washington Avenue; preliminary addresses for the reconfigured apartments are: Apartment 1 address is 451 W. Washington Avenue #101; Apartment 2 address is 451 W. Washington Avenue #102; Apartment 3 address is 3 S. Bassett Street; Apartment 4 address is 451 W. Washington Avenue #201. All preliminary addresses require final approval of the City Engineer.
2. The site plans shall be revised to show the location of all rain gutter down spout discharges.
3. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
4. If the lots within this site plan are inter-dependent upon one another for stormwater runoff conveyance, and/or a private drainage system exists for the entire site an agreement shall be provided for the rights and responsibilities of all lot owners. Said agreement shall be reviewed and placed on file by the City Engineer, referenced on the site plan and recorded at the Dane County Register of Deeds.
5. The plan set shall be revised to show more information on proposed drainage for the site. This shall be accomplished by using spot elevations and drainage arrows or through the use of proposed contours. It is

necessary to show the location of drainage leaving the site to the public right-of-way. It may be necessary to provide information off the site to fully meet this requirement.

6. The Applicant shall submit, prior to plan sign-off, digital CAD files to the Land Records Coordinator in the Engineering Division (Lori Zenchenko). The digital copies shall be drawn to scale and represent final construction, including: building footprints, internal walkway areas, internal site parking areas, and other miscellaneous impervious areas.

**Please contact John Leach, Traffic Engineering, at 267-8755 if you have questions about the following three items:**

7. A condition of approval shall be that no residential parking permits will be issued for 453 W. Washington Avenue. In addition, the applicant shall inform all owners and/or tenants of this facility of the requirement in their condominium documentation, apartment leases and zoning text.
8. When the applicant submits final plans for approval, the plans shall show the following: items in the terrace as existing (signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the two (2) feet overhang, on a scaled drawing at 1" = 20'.
9. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

**Please contact John Lippitt, Madison Fire Department, at 261-9658 if you have questions about the following two items:**

10. All portions of the exterior walls of newly constructed public buildings and places of employment and open storage of combustible materials shall be within 500 feet of at least two fire hydrants. Distances are measured along the path traveled by the fire truck as the hose lays off the truck. See MGO 34.20 for additional information.
11. The site plans shall clearly identify the location of all fire lanes as required by Comm. 62.0509 and MGO 34.19.

**Please contact Kathy Voeck, Assistant Zoning Administrator, at 266-4551 if you have questions regarding the following four items:**

12. Show building dimensions on the site plan as well as setback dimensions.
13. Meet applicable State building, accessible and building setback codes.
14. In the zoning text, state the number of dwelling units in the Statement of Purpose section of the zoning text and include a statement that signage will be as approved by Urban Design and Zoning staff. Note: The sign in the front, as proposed, does not comply with Chapter 31 ordinances for signable area.
15. Provide eight bike parking stalls in a safe and convenient location on an impervious surface to be shown on the final plan. The lockable enclosed lockers or racks or equivalent structures in or upon which the bicycle may be locked by the user shall be securely anchored to the ground or building to prevent the lockers or racks from being removed from the location. A bike-parking stall is two feet by six feet with a five-foot access area.

Structures that require a user-supplied locking device shall be designed to accommodate U-shaped locking devices.

**Please contact my office at 261-9632 if you have questions about the following two items:**

16. That a detailed landscaping plan be submitted for Planning Unit staff approval that identifies specific landscaping materials to be planted along the perimeter of the project, with specific attention to be paid to the treatment of the areas between the raised patios along W. Washington Avenue and S. Bassett Street.
17. That the list of permitted uses for this PUD be revised per Planning Unit approval to include only:
  - residential uses as permitted in the R6 zoning district;
  - restaurants, including outdoor eating areas as shown on the attached plans;
  - bakeries, retail and wholesale as shown on the attached plans, and;
  - bars/ taverns as shown on the attached plans.
  - The hours of operation for this project shall also be noted in the zoning text.

**In addition, the following conditions added by the Plan Commission and Common Council at the request of the Bassett District Steering Committee:**

18. That the hours of operation for public service are to be between 6:00 AM and 11:00 PM, with the last interior seating at 10:30 PM and the last exterior seating at 9:00 PM. The onsite bakery at the lower level may have a production schedule outside of the hours for public service. These hours of public operation shall also be made a part of the alcohol license approval.
19. That vendor deliveries and trash pickup will occur between the hours of 7:00 AM and 5:00 PM.
20. In lieu of providing bicycle and scooter parking equivalent to one per bedroom for the residential tenants, the proposal will include 6-7 stalls at the rear of the building and wording within the residential leases prohibiting parking in other areas including porches or the street terrace. The property owner will actively enforce this lease provision.
21. That venting for all mechanical, restaurant and bakery equipment shall be subject to approval by Planning Staff and the Urban Design Commission. This approval shall include consideration of the location, type of vent terminus and noise impacts of the venting.

**Final approval of this project by the Urban Design Commission is required prior to final approval and recording of the planned unit development.**

Approval of this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

After the plans have been changed as per the above conditions, please file **eight (8) sets** of the revised, complete site plans, building elevations, floor plans and any other documentation requested herein with the Zoning Administrator, Room LL-100, Madison Municipal Building, 215 Martin Luther King, Jr. Boulevard. The sets of final revised plans or documents will be circulated by the Zoning staff to the City department staff listed above for their signature of final approval.

Upon receipt of the aforementioned plans, documents and fees, and upon determining that they are complete, the Zoning Administrator shall record them with the Dane County Register of Deeds Office. The recorded originals will be returned to the applicant, with the recording information noted, when the Register of Deeds has completed the recording process.

If this plan is not recorded within one year of the date of approval by the Common Council, the approval shall be null and void. No construction or alteration of the property included in this application shall be permitted until a Specific Implementation Plan (SIP) has been approved and recorded.

Within thirty-six (36) months of Common Council approval of the general development plan, the basic right of use for the areas, when in conformity with the approved specific implementation plan, shall lapse and be null and void unless 1) the project, as approved, is commenced by the issuance of a building permit, or 2) if an application for an extension is filed at least thirty (30) days prior to the expiration of the thirty-six (36) month period and the Plan Commission, after a public hearing pursuant to Sec. 28.12(10)(e), determines that no changes in the surrounding area or neighborhood since approval of the general development plan render the project incompatible with current conditions and grants an extension of up to twenty-four (24) months in which to obtain a building permit. In no case shall an extension allow a building permit to be issued more than sixty (60) months after approval of the general development plan by the Common Council. If a new building permit is required pursuant to sec. 29.06(4), Madison General Ordinances, a new petition and approval process shall be required to obtain general development plan approval and specific implementation plan approval.

If you have any questions regarding recording this plan or obtaining permits, please call Matt Tucker, Zoning Administrator, at 266-4551. If I may be of any further assistance, please do not hesitate to contact me at 261-9632.

Sincerely,

Timothy M. Parks  
Planner

cc: Kathy Voeck, Asst. Zoning Administrator  
Janet Dailey, City Engineering  
John Leach, Traffic Engineering  
John Lippitt, Madison Fire Department

<b>For Official Use Only, Re: Final Plan Routing/ Reuse-Recycling Routing</b>			
<input checked="" type="checkbox"/>	Planning Unit (T. Parks)	<input type="checkbox"/>	Madison Water Utility
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division (park fees only)
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input type="checkbox"/>	Recycling Coordinator (R&R)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Metro Transit
<input type="checkbox"/>	CDBG Office	<input type="checkbox"/>	Other: